

KEY NO.: 164-03300-967  
STATE ID NO.: 79-07-19-451-024.000-026

PROJECT: Purdue Perimeter Parkway- Phase 1A  
PARCEL NO.: 2A TEMP  
COUNTY: TIPPECANOE  
OWNER: The State of Indiana for the use and benefit of The Trustees of Purdue University

**TEMPORARY RIGHT OF WAY**

THIS INDENTURE WITNESSETH THAT THE STATE OF INDIANA FOR THE USE AND BENEFIT THE TRUSTEES OF PURDUE UNIVERSITY (Grantor), a body corporate created and existing under the laws of the State of Indiana, Hovde Hall, Room 247, 610 Purdue Mall, West Lafayette, IN 47907-2040, conveys and warrants to the CITY OF WEST LAFAYETTE of the State of Indiana, (Grantee) for use as temporary right of way for the purpose of yard grading, structure removal and drive construction, the following Real Estate in Tippecanoe County in the State of Indiana.

PARCEL: 2A TEMP

PROJECT: Purdue Perimeter Parkway- Phase 1A

**DESCRIPTION:** EXHIBIT "A"

(the "Real Estate").

This temporary conveyance is subject to any and all easements, conditions and restrictions of record. However, the said Grantor, for the purpose of inducing the City of West Lafayette to accept this grant, represents that the Grantor is the owner in fee simple of the Real Estate and that there exist no encumbrances, conditions, restrictions, leases, liens of any kind or character which would be inconsistent with the temporary rights granted herein.

Grantee agrees that upon the completion of any construction, reconstruction, modification, supplementation, maintenance, operation, and/or removal in connection with the purposes of this Temporary Right of Way, Grantee shall restore the area described on Exhibit A and any areas of Grantor's property disturbed by Grantee. Grantee shall grade, seed, and mulch the same, closing all excavations with proper backfill and compaction, and replacing, with similar quality or better, any and all then existing improvements, landscaping, driveways, parking lots, sidewalks, drainage tiles, utility lines, and other appurtenances on, under, through, or over the area described on Exhibit A and/or the disturbed areas of Grantor's property at no expense to Grantor.

The temporary right of way automatically reverts back to the property owner at the completion of the project.

The undersigned person executing this Temporary Right-of Way represents and certifies on behalf of the Grantor, that he is the Treasurer of the Grantor and has full authority to manage the affairs and sign and execute documents on behalf of THE STATE OF INDIANA FOR THE USE AND BENEFIT OF THE TRUSTEES OF PURDUE UNIVERSITY, BY THE TRUSTEES OF PURDUE UNIVERSITY, a body corporate created and existing under the laws of the State of Indiana, and that their authority has not been revoked; that he is, therefore, fully authorized and empowered to convey to the City of West Lafayette of the State of Indiana the Real Estate and to execute all the necessary instruments in connection therewith.

IN WITNESS WHEREOF, the above-named Grantor, THE STATE OF INDIANA FOR THE USE AND BENEFIT OF THE TRUSTEES OF PURDUE UNIVERSITY, by THE TRUSTEES OF PURDUE UNIVERSITY, a body corporate created and existing under the laws of the State of Indiana, has caused this Temporary Right of Way to be executed by its duly authorized officer this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

GRANTOR:

THE STATE OF INDIANA FOR THE USE AND  
BENEFIT OF THE TRUSTEES OF PURDUE  
UNIVERSITY  
BY: THE TRUSTEES OF PURDUE UNIVERSITY, a  
body corporate created and existing under the laws of the  
State of Indiana

By: \_\_\_\_\_

Al V. Diaz  
Treasurer

STATE OF INDIANA            )  
  )       SS:  
COUNTY OF TIPPECANOE    )

Before me, the undersigned, a Notary Public in and for said County and State, this \_\_\_\_\_ day of \_\_\_\_\_, 2010 personally appeared THE STATE OF INDIANA FOR THE USE AND BENEFIT OF THE TRUSTEES OF PURDUE UNIVERSITY BY THE TRUSTEES OF PURDUE UNIVERSITY, a body corporate created and existing under the laws of the State of Indiana, by Al V. Diaz, its Treasurer, who acknowledged the execution of the foregoing Temporary Right of Way for and on behalf of said Grantor, and who, having been duly sworn, stated that the representations therein contained are true.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Notary Public

County of Residence: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

**ACCEPTED: CITY OF WEST LAFAYETTE BY ITS BOARD OF PUBLIC WORKS**

\_\_\_\_\_  
John R. Dennis Mayor

\_\_\_\_\_  
Sana G. Booker, Member

\_\_\_\_\_  
Bradley W. Marley, Member

\_\_\_\_\_  
Jonathan C. Speaker, Member

\_\_\_\_\_  
Elizabeth M. Stull, Member

ATTEST:

\_\_\_\_\_  
Judith C. Rhodes, Clerk-Treasurer

**STATE OF INDIANA:**        }  
                                      } SS:

**COUNTY OF TIPPECANOE}**

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared John R. Dennis, Sana G. Booker, Bradley W. Marley, Jonathan C. Speaker and Elizabeth M. Stull of the West Lafayette Board of Public Works and Safety, and acknowledge the execution of the above release, for the uses and purposes herein mentioned.

Witness my hand and Notarial Seal this \_\_\_\_\_ day of \_\_\_\_\_, 2010

I am a resident of \_\_\_\_\_ County.

\_\_\_\_\_  
Signature

My Commission Expires \_\_\_\_\_

\_\_\_\_\_  
Printed Name

"I affirm, under penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law, Ronald L. Francis

Instrument prepared by: Eric H. Burns, Withered Burns & Persin, LLP, 8N 3<sup>rd</sup> St. Suite 401, P.O. Box 499 Lafayette, IN 47901  
Grantee's Address: City Hall 609 West Navajo Street, West Lafayette, IN 47906

**NOTE: THE FILING OF A SALES DISCLOSURE FORM 46021 (R 8/7/08) IS NOT REQUIRED IN ORDER TO RECORD THIS INSTRUMENT BECAUSE THIS IS A GIFT, CONVEYANCE, GRANT, AND/OR ASSIGNMENT OF AN INTEREST IN REAL PROPERTY FOR NO CONSIDERATION BEYOND NOMINAL CONSIDERATION RECITED IN THIS DOCUMENT.**

## EXHIBIT "A"

Project: DEM-0501163

Sheet: 1 of 2

Parcel: 2A Temporary R/W for Grading and Drive construction

Form: T-1

A part of the Southwest Quarter of Section 19, Township 23 North, Range 4 West and a part of Lot 8 in Steely's Addition to West Lafayette, the plat of which is recorded in Plat Book 1, Page 18 on the Office of the Recorder of Tippecanoe County, Indiana, Tippecanoe County, Indiana described as follows:

Commencing at the southeast corner of said quarter section; thence North 0 degrees 23 minutes 25 seconds West (basis of bearings) 1,292.95 feet along the east line of said quarter section to the north line of Steely's Addition; thence North 87 degrees 45 minutes 34 seconds West 254.45 feet along the north line of said Steely's Addition to an eastern line of the grantor's land; thence North 0 degrees 19 minutes 08 seconds East 34.25 feet along said eastern line to the north line of the south half of said quarter section; thence North 88 degrees 19 minutes 25 seconds West 126.21 feet along the north line of said half-quarter section to the west line of the grantor's land; thence South 0 degrees 19 minutes 08 seconds West 71.28 feet; thence South 89 degrees 37 minutes 20 seconds East 64.91 feet to the POINT OF BEGINNING of this description; thence South 89 degrees 37 minutes 20 seconds East 109.13 feet; thence South 1 degree 52 minutes 33 seconds West 95.00 feet; thence North 88 degrees 02 minutes 45 seconds West 60.03 feet; thence North 26 degrees 10 minutes 47 seconds West 104.32 feet to the POINT OF BEGINNING, containing 0.182 acres, more or less.

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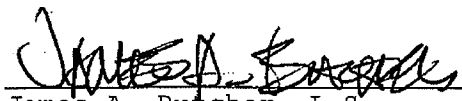
Sheet: 2 of 2

Parcel: 2A Temporary R/W for Grading and Drive construction

Form: T-1

This description was prepared for the City of West Lafayette by Butler, Fairman & Seufert, Inc.

Given this 12<sup>th</sup> day of April, 2010.



James A. Butcher, L.S.  
Registered Land Surveyor  
State of Indiana, No. 29700005

